

The Honorable Ronald B. Leighton

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STORMANS, INCORPORATED, et al.,

Civil Action No. C07-5374 RBL

Plaintiffs,

VS.

MOTION FOR COSTS

MARY SELECKY, Secretary of the Washington State Department of Health, et al.,

Defendants,

and

JUDITH BILLINGS, et al.,

Intervenors.

INTRODUCTION

Plaintiffs respectfully move the Court, pursuant to Local Rule 54(d), to order the Defendants to pay Plaintiffs' costs as itemized in the attached Bill of Costs and taxable under 28 USC § 1920.

AUTHORITY AND ARGUMENT

“[T]he party in whose favor a judgment is rendered” may seek recovery of costs “within twenty-one days after the entry of judgment.” Local Rules W.D.Wash 54(d). Taxable costs include “(1) Fees of the clerk and marshal; (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case; (3) Fees and disbursements for

1 printing and witnesses; (4) Fees for exemplification and the costs of making copies of any
2 materials where the copies are necessarily obtained for use in the case; (5) Docket fees under
3 section 1923 of this title; (6) Compensation of court appointed experts, compensation of
4 interpreters, and salaries, fees, expenses, and costs of special interpretation services under
5 section 1828 of this title.” 28 USC § 1920.

6 This Court granted Judgment in favor of the Plaintiffs on February 22, 2012.

7 Plaintiffs now seek recovery of costs that were necessarily incurred in this case. It is within
8 twenty-one days of the entry of judgment, and the costs are itemized in the attached Bill of
9 Costs and taxable under 28 USC § 1920.

10 **CONCLUSION**

11 Accordingly, this Court should order the Defendants to pay the taxable costs, itemized
12 in the attached Bill of Costs.

13
14 DATED this 14th day of March 2012.

15 By: /s/ Steven T. O'Ban
16 Steven T. O'Ban, WSBA # 17265
soban@elmlaw.com
17 Kristen K. Waggoner, WSBA # 27790
kwaggoner@elmlaw.com
ELLIS, LI & MCKINSTRY PLLC
18 2025 First Avenue, Penthouse A
Seattle, WA 98121-3125
(206) 682-0565
19 Fax: (206) 625-1052

20
21 THE BECKET FUND FOR
22 RELIGIOUS LIBERTY
23 Luke W. Goodrich, D.C. Bar # 977736
Eric Kniffen, D.C. Bar # 999473
3000 K Street, NW, Suite 220
Washington, DC 20036
(202) 955-0095

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2012, I electronically filed the foregoing Plaintiffs' Motion re Bill of Costs with the Clerk of the Court using the CM/ECF System, which will send notification of the filing to all counsel of record.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 14th day of March 2012.

s/ Kristen K. Waggoner
Kristen K. Waggoner, WSBA No. 27790
kwaggoner@elmlaw.com
ELLIS, LI & MCKINSTRY PLLC
2025 First Ave., Penthouse A
Seattle, WA 98121
(206) 682-0565
Fax: (206) 625-1025

**CERTIFICATE OF SERVICE - 1
(C07-5374)**

ELLIS, LI & MCKINSTRY PLLC
Attorneys at Law
2025 First Avenue, Penthouse A
Seattle, WA 98121-3125
206-682-0565 Fax: 206•625•1052